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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;

16 OTTOMOTTO LLC; OTTO TRUCKING

17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JORDAN R. JAFFE**

**Hearing:**

Date: May 3, 2017

Time: 8:00 a.m.

Place: 8, 19<sup>th</sup> Floor

Judge: The Honorable William H. Alsup

1 I, Jordan R. Jaffe, hereby declare as follows.

2 1. I am a member of the bar of the State of California and a partner with Quinn  
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this  
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and  
5 would testify competently as follows.

6 2. Attached hereto as Exhibit 61<sup>1</sup> is a true and correct copy of Defendants’ “Privilege  
7 Log Associated with March 31, 2017 Production of Documents,” served on April 10, 2017.

8 3. Attached hereto as Exhibit 62 is a true and correct copy of Defendants’  
9 “Supplemental Privilege Log Associated with March 31, 2017 Production of Documents,” served  
10 on April 13, 2017.

11 4. Attached hereto as Exhibit 63 is a true and correct copy of Defendants’ “Second  
12 Supplemental Privilege Log Associated with March 31, 2017 Production of Documents,” served  
13 on April 13, 2017.

14 5. Attached hereto as Exhibit 64 is a true and correct copy of excerpts of the  
15 deposition transcript of Gaetan Pennecot, dated April 20, 2017.

16 6. Attached hereto as Exhibit 65 is a true and correct copy of excerpts of the  
17 deposition transcript of Asheem Linaval, dated April 13, 2017.

18 7. Attached hereto as Exhibit 66 is a true and correct copy of the deposition transcript  
19 of Anthony Levandowski, dated April 14, 2017.

20 8. Attached hereto as Exhibit 67 is a true and correct copy of excerpts of the  
21 deposition transcript of Scott Boehmke, dated April 17, 2017

22 9. Attached hereto as Exhibit 68 is a true and correct copy of excerpts of the  
23 deposition transcript of James Haslim, dated April 18, 2017.

24 10. Attached hereto as Exhibit 69 is a true and correct copy of a document produced by  
25 Defendants in this action bearing Bates Number UBER00011465.

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26 <sup>1</sup> For clarity, this Declaration begins with Exhibit 61 because Waymo submitted Exhibits 1-  
27 60 with the Declaration of Jordan R. Jaffe that it submitted in support of its opening brief on  
28 March 10, 2017. (Dkt. 25-6.)

1           11.     Attached hereto as Exhibit 70 is a true and correct copy of a document produced by  
2 Defendants in this action bearing Bates Number UBER00008536.

3           12.     Attached hereto as Exhibit 71 is a true and correct copy of a document produced by  
4 Defendants in this action bearing Bates Number UBER00008538.

5           13.     Attached hereto as Exhibit 72 is a true and correct copy of a document produced by  
6 Defendants in this action bearing Bates Number UBER00008543.

7           14.     Attached hereto as Exhibit 73 is a true and correct copy of a document produced by  
8 Defendants in this action bearing Bates Number UBER00008544.

9           15.     Attached hereto as Exhibit 74 is a true and correct copy of a document produced by  
10 Defendants in this action bearing Bates Number UBER00008505.

11          16.     Attached hereto as Exhibit 75 is a true and correct copy of a document produced by  
12 Defendants in this action bearing Bates Number UBER00008562.

13          17.     Attached hereto as Exhibit 76 is a true and correct copy of a document produced by  
14 Defendants in this action bearing Bates Number UBER00008495.

15          18.     Attached hereto as Exhibit 77 is a true and correct copy of a document produced by  
16 Defendants in this action bearing Bates Number UBER00008493.

17          19.     Attached hereto as Exhibit 78 is a true and correct copy of a document produced by  
18 Defendants in this action bearing Bates Number UBER00008592.

19          20.     Attached hereto as Exhibit 79 is a true and correct copy of an article titled "The  
20 Uber exec accused of downloading crucial tech files before quitting Google has a simple  
21 explanation," dated March 16, 2017, downloaded from [http://www.businessinsider.com/anthony-](http://www.businessinsider.com/anthony-levandowski-says-he-did-not-steal-waymo-self-driving-technology-2017-3)  
22 [levandowski-says-he-did-not-steal-waymo-self-driving-technology-2017-3](http://www.businessinsider.com/anthony-levandowski-says-he-did-not-steal-waymo-self-driving-technology-2017-3).

23          21.     Attached hereto as Exhibit 80 is a true and correct copy of a document produced by  
24 Defendants in this action bearing Bates Number UBER00006444.

25          22.     Attached hereto as Exhibit 81 is a true and correct copy of Defendants' Objections  
26 and Responses to Plaintiff Waymo LLC's Notice of Deposition of James Haslim and Requests for  
27 Production of Documents and Things, dated April 18, 2017.

28

1           23.     Attached hereto as Exhibit 82 is a true and correct copy of excerpts of the  
2 deposition transcript of Daniel Gruver, dated April 20, 2017.

3           24.     Attached hereto as Exhibit 83 is a true and correct copy of excerpts of the  
4 deposition transcript of Paul McManamon, dated April 19, 2017.

5           25.     Attached hereto as Exhibit 84 is a true and correct copy of excerpts of the  
6 deposition transcript of Dr. Michael Lebby, dated April 17, 2017.

7           26.     Attached hereto as Exhibit 85 is a true and correct copy of a document produced by  
8 Defendants in this action bearing Bates Number UBER00011677.

9           27.     Attached hereto as Exhibit 86 is a true and correct copy of a document produced by  
10 Defendants in this action bearing Bates Number UBER00006556.

11          28.     Attached hereto as Exhibit 87 is a true and correct copy of a document produced by  
12 Defendants in this action bearing Bates Number UBER00011631.

13          29.     Attached hereto as Exhibit 88 is a true and correct copy of a document produced by  
14 Defendants in this action bearing Bates Number UBER00011654.

15          30.     Attached hereto as Exhibit 89 is a true and correct copy of excerpts of the transcript  
16 from the parties' April 12, 2017 hearing before this Court.

17          31.     Attached hereto as Exhibit 90 is a true and correct copy of excerpts of the  
18 deposition transcript of Pierre-Yves Droz, dated March 31, 2017.

19          32.     Attached hereto as Exhibit 91 is a true and correct copy of excerpts of the  
20 deposition transcript of Sameer Kshirsagar, dated April 14, 2017.

21          33.     Attached hereto as Exhibit 92 is a true and correct copy of a document produced by  
22 Defendants in this action bearing Bates Number UBER00005076.

23          34.     Attached hereto as Exhibit 93 is a true and correct copy of a document produced by  
24 Defendants in this action bearing Bates Number UBER00006245.

25          35.     Attached hereto as Exhibit 94 is a true and correct copy of a document produced by  
26 Defendants in this action bearing Bates Number UBER00006246.

27          36.     Attached hereto as Exhibit 95 is a true and correct copy of a document produced by  
28 Defendants in this action bearing Bates Number UBER00006248.

1           37.     Attached hereto as Exhibit 96 is a true and correct copy of a document produced by  
2 Defendants in this action bearing Bates Number UBER00006251.

3           38.     Attached hereto as Exhibit 97 is a true and correct copy of a document produced by  
4 Defendants in this action bearing Bates Number UBER00008494.

5           39.     Attached hereto as Exhibit 98 is a true and correct copy of a document produced by  
6 Defendants in this action bearing Bates Number UBER00008553.

7           40.     Attached hereto as Exhibit 99 is a true and correct copy of a document produced by  
8 Defendants in this action bearing Bates Number UBER00008557.

9           41.     Attached hereto as Exhibit 100 is a true and correct copy of a document produced  
10 by Defendants in this action bearing Bates Number UBER00011242.

11          42.     Attached hereto as Exhibit 101 is a true and correct copy of a document produced  
12 by Defendants in this action bearing Bates Number UBER00011676.

13          43.     Attached hereto as Exhibit 102 is a true and correct copy of a letter received from  
14 Amy Craig, counsel for Anthony Levandowski, on April 19, 2017.

15          44.     Attached hereto as Exhibit 103 is a true and correct copy of an excerpt of  
16 correspondence with Miles Ehrlich, counsel for Anthony Levandowski, on April 13-14, 2017.

17          45.     Attached hereto as Exhibit 104 is a true and correct copy of a document produced  
18 by Defendants in this action bearing Bates Number UBER00011613.

19          46.     Attached hereto as Exhibit 105 is a true and correct copy of a document produced  
20 by Defendants in this action bearing Bates Number UBER00011263.

21          47.     Attached hereto as Exhibit 106 is a true and correct copy of a document produced  
22 by Defendants in this action bearing Bates Number UBER00011612.

23          48.     Attached hereto as Exhibit 107 is a true and correct copy of a document produced  
24 by Defendants in this action bearing Bates Number UBER00011678.

25          49.     Attached hereto as Exhibit 108 is a true and correct copy of a document produced  
26 by Defendants in this action bearing Bates Number UBER00011858.

27          50.     Attached hereto as Exhibit 109 is a true and correct copy of a document produced  
28 by Defendants in this action bearing Bates Number UBER00006451.

1           51. Attached hereto as Exhibit 110 is a true and correct copy of a document produced  
2 by Defendants in this action bearing Bates Number UBER00006261.

3           52. Attached hereto as Exhibit 111 true and correct copy of an article titled "The Uber  
4 exec accused of downloading crucial tech files before quitting Google has a simple explanation,"  
5 dated March 16, 2017, downloaded from [https://www.recode.net/2017/3/14/14923056/uber-](https://www.recode.net/2017/3/14/14923056/uber-google-waymo-self-driving-anthony-levandowski-travis-kalanick)  
6 [google-waymo-self-driving-anthony-levandowski-travis-kalanick](https://www.recode.net/2017/3/14/14923056/uber-google-waymo-self-driving-anthony-levandowski-travis-kalanick).

7           53. Attached hereto as Exhibit 112 true and correct copy of Defendants' Objections and  
8 Responses to Plaintiff's Notice of Deposition of Asheem Linaval and Requests for Production of  
9 Documents and Things, dated April 13, 2017.

10           54. Attached hereto as Exhibit 113 true and correct copy of an email received from  
11 John Cooper, received April 20, 2017.

12  
13  
14           I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct.

16 DATED: April 21, 2017

17 /s/ Jordan R. Jaffe  
Jordan R. Jaffe

18  
19  
20                           **SIGNATURE ATTESTATION**

21           Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the  
22 filing of this document has been obtained from Jordan Jaffe.

23  
24                           /s/ Charles K. Verhoeven  
Charles K. Verhoeven